



WILTSHIRE
& GRANNIS LLP

January 7, 2010

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Implementation of Section 224 of the Act; Amendment of the Commission's Rules and Policies Governing Pole Attachments, WC Docket No. 07-245, RM-11293 and RM-11303.*

Dear Ms. Dortch:

Yesterday, January 6, 2009, Charles Stockdale of Fibertech Networks, LLC ("Fibertech") and John Chuang of Kentucky Data Link, Inc. ("KDL"), with their counsel John Nakahata, Brita Strandberg and Kelley Shields of Wiltshire & Grannis, met with Christi Shewman, Wireline Advisor to Commissioner Baker.

Fibertech and KDL explained that timely pole access is essential to the wider deployment of broadband in all settings and that the reforms Fibertech has proposed both meet the needs of pole owners and provide for increased and rapid broadband deployment, particularly in rural areas. Fibertech's experience in Connecticut demonstrates that having cost-effective options to attach to poles enables rural deployment of advanced public safety networks and wireless backhaul.

The self-effectuating remedies Fibertech and KDL have proposed ensure timely access to poles and address pole owners' concerns about meeting deadlines in extraordinary circumstances, such as where the pole owner's workforce may have been diverted unexpectedly to some other critical task or where make ready work that must be performed by a third-party attacher has not been timely completed. Pole owners would not face a penalty if they missed a deadline for licensing. Instead, the attacher could itself ensure access to the poles in a safe and timely fashion, either by hiring a utility-approved contractor to do the make-ready work or by using a temporary attachment until the make-ready work could be completed.

In addition, Fibertech reiterated points it has made in previous filings in these proceedings and made the points summarized in the attached materials.

Respectfully submitted,

Kelley A. Shields
Counsel to Fibertech Networks, LLC and Kentucky Data Link, Inc.